

UNITED STATES GOVERNMENT

Memorandum

U-204/GC

STAT

TO : DS-6

DATE: 23 June 1976

FROM : GC

SUBJECT: Warning Notice - Sensitive Intelligence Sources and Methods Involved

1. The question has been raised by the Security Committee concerning the use of the phrase "Warning Notice - Sensitive Intelligence Sources and Methods Involved". The question asked is whether it is appropriate to drop the words "sensitive" and "involved".

2. The National Security Council Directive dated May 17, 1972 entitled "Directive Governing the Classification, Downgrading, Declassification and Safeguarding of National Security Information" provides on page 7 as follows:

"(4) Sensitive Intelligence Information. For classified information or material relating to sensitive intelligence sources and methods, the following warning notice shall be used, in addition to and in conjunction with those prescribed in (1), (2), or (3), above, as appropriate:

'WARNING NOTICE - SENSITIVE INTELLIGENCE
SOURCES AND METHODS INVOLVED''

3. DCID 1/7 effective 5 October 1975 at page 2, item 3.d. provides as follows:

"d. The NSC Directive further requires that the marking, 'WARNING NOTICE - SENSITIVE INTELLIGENCE SOURCES AND METHODS INVOLVED,' be prominently displayed on all information and materials relating to sensitive intelligence sources and methods; and, that materials so marked will not be disseminated in any manner outside authorized channels without the permission of the originating department and an assessment by the senior intelligence official in the disseminating department as to the potential risk to the national security and to the intelligence sources and methods involved. For special purposes, primarily bibliographic notation, communications, or automatic data processing, this marking may be abbreviated WNINTEL."

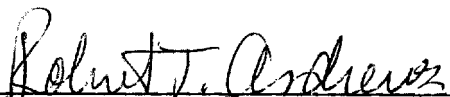



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4. In view of the existing guidance established by the NSC and DCID 1/7 any action to change the markings would have to be accomplished through appropriate channels and approved by appropriate personnel to accomplish any changes whatsoever in the designated marking.
5. This is a matter of policy determination if the above documents should be changed.
6. It would appear that any effort to make the above changes would be merely for the sake of consistency, should unclassified sources and methods be included in the proposed secrecy agreement which is being considered by the Security Committee.
7. A question has arisen whether a memorandum signed by Deputy Secretary Ellsworth dated 25 May 1976 had any bearing on the position of the DoD in connection with the question of information concerning sources and methods being classified. The memorandum of 25 May related to a separate issue and has no bearing whatsoever on the question being considered by the Security Committee concerning sources and methods. The 25 May memorandum merely went to the question of whether two defenses rather than one could be made before a court. The basic issue at hand here was not involved.
8. It continues to be the position within the Department of Defense that the information concerning sources and methods of intelligence discussed in the proposed DCID 1/19 refers only to classified information. That position has not changed. In view of this, any change in the marking -- "Warning Notice - Sensitive Intelligence Sources and Methods Involved" should not be in issue.

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